

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, SEPTEMBER 17, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, September 17, 2018. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Joel Smith, Law Director, Andrea Scassa, Engineering Dept., Jason Popiel, Economic Development Director, David Maley and Income Tax/Budget Director, Barb Sylvester. Also, if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Jill Creamer, Sarita Cunningham, Mike Gregg, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 9 present

2. INVOCATION

COUNCILMAN PAUL MANSON

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN MANSON

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Thank you, Madam President. Here we go again; I make a motion that we enter into Executive Session pursuant to Ohio Revised Code Sections 121.22(g)(5) and (g)(8) for the consideration of confidential information related to marketing plans, specific business strategies, trade secrets and financial statements with regard to applications and proposals for economic development assistance. This economic development assistance will be administered through the Community Improvement Corporation of Massillon (CIC) and this Executive Session is necessary to protect the interest of the applicants as well as the possible investment and expenditure of public funds made in connection with the economic development project.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Irwin. Roll call.

9 yes to enter into Executive Session

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN MANSON – For the record, I'd like to invite the Mayor, Mr. Smith, Dave Maley, Barb Sylvester, Andrea Scassa, and attorneys, Plakas and Dingwell. Also, all of Council, the Council President and Council Clerk.

COUNCIL PRESIDENT ISTNICK – We will exit into Executive Session.

Enter into Executive Session – 6:35 p.m.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. I'd like to make a motion that we return from Executive Session to our Regular Council Session.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll Call.

9 yes to exit Executive Session

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. We have now entered back into our Regular Session.

Exit Executive Session – 7:40 p.m.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – No, they are not. I'm still working on them. They should be posted by tomorrow.

COUNCIL PRESIDENT ISTNICK – Thank you.

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

TIM MORIARTY – I live at 320 Needham St. S.W., Brewster, Ohio. I'm just flabbergasted by how this hospital thing how it's come down here. I guess when I read all of the articles in the newspaper, my first reaction was, where's the money? All these stories that were in The Independent and The Rep, there was never one question that was addressed as to where these two young 20 somethings were getting their funding. I think what has transpired now is really kind of an egg in your face where the citizens of Massillon are going to say, what's going on here and how reliable can we be in trusting people and insuring that we're going to get something better or maybe as good? But, when I read about these two gentlemen at 20 something, I said to myself, these guys have to have either deep pockets or something. And then another point was your law firm. Who was bedding this process? Why didn't somebody look into these candidates and say, who are these guys? Rather than to have it come out in the paper. When I read this thing, I almost could predict one, two, three, four, five; what could happen. The real shame of this and I know all of you wanted to get some kind of hospital facility here, is when you think of how many lives may have been lost from people who are unable to get to Mercy or Aultman in time. So, I just hope that, and one final point. If whoever it is that's interested in this hospital, after reading about this diabolical, this happening with this first group, I'm going to come back to you and say, you know what, that offered we made to you, we're going to cut that by \$500,000 or something. Because they're going to be in a position to negotiate. So, I just think it's a shame and I think that somebody needs to stand up and I think you people are the ones that should have stood up and said, wait a second. What is going on here? And you should have shared that we people rather than being faced tonight with where this is all headed on to. Thank you.

COUNCIL PRESIDENT ISTNICK – Is there anyone else that would like to come forward?

LARRY DELUCA – I live at 2954 Veterans Blvd. S.E., Massillon, Ohio. I want to thank the gentleman who just spoke. Thanks for that. I have a lot of questions. Last week I brought up Dream CSX. The way I understand it from my media friends, the media broke it, it was, I think, Thursday night. Friday, they got a call from Mr. Dingwell, representing the City of Massillon; Matrix is out of it. And then I read on 09/15, which is Saturday, I believe is a member from the Mayor stating that they didn't meet the criteria. Before, the Mayor was all in for Paramount Matrix, I mean, all in. A lot of my friends were real happy, a lot of older people. You were all in for it. You went all the way. You said it was good. You didn't understand that there was somebody even going to make, contracted to make up signs. These people were sitting in my hospital doing interviews. They said that they were going to go to the next round and telling people around town. I don't know if they made the signs up at a local printing business here, but I don't think that was pretty good about doing that. The two young gentlemen, I don't think youngness gets to me. Because I know some people here in town that are 20 something. Maybe they parted through different ways. That didn't bother me, but the fact that when you do due diligence, you should have a good solid foundation for the due diligence. When I talked to Mr. Dingwell on the phone, he said, we got due diligence and it's ongoing. We don't even have a foundation of solid due diligence with this thing for the City of Massillon, for the folks. It's personal to me. Dr. Seese at Stark Medical Specialties went to this hospital. He gave his life for the hospital. I don't want to think that Dr. Seese, my hometown of Pittsburgh, was born in 1958; that he died in vain with this. Because we're fumbling along with this. I talked to Ohio Attorney General today. I understand that we have to do, we've got a lot of Executive Sessions here. We've got to pump on the brakes here. I just want, for the people that are going to go forward, I asked some of the people that are doing the due diligence, do you have

an accounting? They said no, it's a team effort. Well, I don't know who the team was that did this, but they really, really did...there's some other things too. If we drag it out, it's going to cost us \$2 million dollars. Yes, the Mayor was on top of it and stuff like that. Time of the essence. We've got to do something. We have got to have some people in here to get our act together that is going to vent these people properly. If you aren't going to vent it, whether you're from a prestigious law firm or not, why don't you bow out and do something else. Furthermore, to end it up, I am not a critic of the Mayor. I just feel that we're not doing this right. I think the Mayor stated that we got to block out critics. I don't think the Mayor should block out any critics. I think the Mayor should listen to the critics and then take what the critic said and incorporate that so that we can get our new hospital, the Massillon Regional Medical Center, what we need. How many people died with all this we got going on here. Everybody's looking at us. So, I think we need a hospital, but we've got to stop going around, we got to put the brakes on it and hit the gas. Hit the gas only when we have good, solid financial operators. So, what I want is I want a good hospital very run, but I want it be reputable people that are reputable that have good financial backing and they're in it for the long run. Not at a year down the road, the Mayor's going to say, hey, we stopped with a hospital. Does anybody remember Doctor's Hospital? It's rotting right now. Thank you very much.

COUNCIL PRESIDENT ISTNICK – Thank you for your comments, Larry. Is there anyone else that would like to come forward?

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 110 – 2018 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an **amended** Development Agreement with the Massillon Development Foundation and Geis at Massillon, LLC, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. I'm going to ask Mr. Maley to come up to the microphone with a little explanation for all you Council people. This came up to me last Thursday, so, we asked Sarita and Milan to sign to get this on the agenda. It's something we have to consider. I think they have to move tomorrow. So, that's why we allowed this to come forward. So, go right ahead, Dave and give it what you got.

DAVE MALEY – First I'd like to thank Council.

COUNCILMAN MANSON – Oh, let me say one more thing. There are a bunch of confusing things about this stuff as far as easements and right-a-ways. I mean, really, it really is. So, hopefully we have people here from both sides of this. The developers and everybody and they can all agree that everybody understands what is happening and what's going on.

DAVE MALEY – First, I want to thank Council for allowing us to take this into consideration tonight with such short notice. We were approached by the developer, I think it was Tuesday about this issue and it is rather complex. It deals with the roadway that's going from Millennium Blvd. to the actual site of the warehouse. It's regarding easements to actually dedicate a road which we'd have to bring a dedication here to City Council. To dedicate a road, the Law Director needs to sign off on the dedication for our road. The road has to have no cumbrances. Currently, there are five different easements on the properties that we're discussing and so, that became an issue with the developer. I'd like to, at this point, maybe call up between Mr. Alan Ritchey. He's with the law firm Thompson – Hine. He's representing the developer. He approached me with regards to, me and the Law Director, with regards to this issue.

ALAN RITCHEY – Good evening. I'm from Thompson-Hine. I represent Geis Development and first, just to second what David mentioned, on behalf of Shearer's, Massillon Development Foundation and my client, Geis, thank you so much for putting this on the agenda. It is a little technical, the issue that we're talking about, but it is really important. As you might recall, the City, Massillon Development Foundation and our client entered into a Development Agreement probably three weeks ago or so. And the reason for the Development Agreement was really two-fold. One was to confirm the City's commitment to pay \$150,000 towards the construction cost of the road that leads from Millennium Blvd. to the parceled land where Shearer's new distribution facility's being bought. The second part of that Development Agreement was once

the road was completed in accordance with all the City requirements and specifications, what have you, the City agreed to accept a dedication of the road. And the dedication of the road is simply really a means of transferring ownership of the road and future maintenance and operation cost to the City. That's basically what a dedication is. It creates a public right of way. So, through a dedication title to the road everything goes to the City, the City takes over maintenance and repair and so, it's a specific process that's set forth in the Massillon code. So, it was really important to all the parties that eventually, that happens. So, with the way that this whole financial structure is put together, that point, with the road completed, that that maintenance and operation and ownership does transfer to the City. That was important to all the parties; the Massillon Development Foundation, to Shearer's and then of course, to our client. In looking at the code, and this has all been moving very quickly, as you'll recall. All of this is kind of happening fast and we have a lot of deadlines, etc., to meet. Looking at Massillon's Code, there's a provision in it that says that the City can't accept the dedication, technically, if there are encumbrances on the parcel of land to be encumbered or to be dedicated. So, we're looking at finally getting all of the title information, everything together and we notice that East Ohio Gas has five easements on this property. So, as a technical matter, the City couldn't accept a dedication if those easements were still there. So, from everyone's perspective, and again, we're trying to actually, the closing is scheduled for tomorrow. So, in looking at the scenario, all the parties wanted to make sure that, eventually, whether or not this road was dedicated with what the City had agreed to in the Development Agreement, that would be the eventuality that we would maintenance and repair and obligation, the ownership would transfer to the City with or without these easements being there. Now, we've talked to East Ohio Gas numerous times now. No one expects any problems with respect to releasing these encumbrances. However, East Ohio Gas has their own process to go through, as you could imagine. They have lines, they want to make sure that everybody is safe before they start releasing easements and those kinds of things. So, they technically couldn't tell us today that, yes, we absolutely will release all of those easements a month from now or two months from now. And just because of the timing, it's something that we couldn't wait for because we need to close tomorrow. So, that's when we reached out to the City and we said, under the original Development Agreement, the City had agreed, eventually, to take this dedication, could we have some agreement with the City that, although we're going to continue to seek the dedication totally at the developer's expense, we're going to keep working with East Ohio Gas to get rid of these easements, which we're confident that we can do, will the City agree today that for some reason, whatever it might be that we can't get those easements released, can we put a structure in place that the City would be in the exact same position they would be with or without a dedication? Meaning that the City would have repair obligation and they'd have ownership. So, what this first amendment to the Development Agreement simply does is, it says that if, at the time the road is completed, if we don't have all of these easements taken care of, the City will take title without cost, obviously, to all the improvements; the concrete, the sewers, all of those types of things, just like they would if it was a dedication and that the City would take responsibility for maintenance and repair. Just like they would if there was a dedication. So, it's really just a means to get us through this point and time and say, if for some reason we can't seem to get rid of all these easements that are on there and we expect that we can in our discussions with East Ohio Gas, we want to have this structure in place that all the parties involved know that we would end up in the position that everyone kind of expected that we would be in. Which would be maintenance and ownership of the road would be with the City. So, that's the purpose for the first amendment and why we're here tonight.

COUNCILWOMAN LITMAN – Is this first amendment in writing? I mean, I'm taking out the initial Development Agreement.

DAVE MALEY – You should have a copy of the first amendment to the Development Agreement in your packet.

COUNCILWOMAN LITMAN – Do you have a copy?

COUNCIL CLERK ROLLAND – It was sent out with the packet.

DAVE MALEY – Yeah, you should have a copy.

COUNCIL CLERK ROLLAND – For the Work Session with the Request for Legislation.

COUNCILWOMAN LITMAN – It wasn't in my packet.

COUNCIL CLERK ROLLAND – No. You should have had a copy from the Work Session previously.

COUNCILWOMAN LITMAN – Oh, okay. I'm sorry.

DAVE MALEY – No. This is a new agreement. This isn't the original agreement. We haven't had a Work Session. This is the first time really, they should have seen it.

COUNCIL CLERK ROLLAND – They should have seen it on the 10th.

DAVE MALEY – The Development Agreement was what was passed.

COUNCIL CLERK ROLLAND – The only thing that changed on the one you gave me this evening was the "s" added to parcel.

COUNCILWOMAN STARRETT – It was attached to the additional request e-mail that we got. Not the original packet.

COUNCIL CLERK ROLLAND – Right, because I didn't get it until Friday.

DAVE MALEY – Yeah. She didn't get it until Friday. I apologize.

COUNCILWOMAN LITMAN – Oh yeah. I apologize.

COUNCIL PRESIDENT ISTNICK – Are there any other questions? Mr. Maley.

DAVE MALEY – The Code section which he referred to, it's 1107.03 that talks about dedication of roads which he referred to. I have spoken to Dominion. They are expediting this. I spoke to someone representing them today. She couldn't guarantee me that there would be no issues because they really haven't looked at it yet. I think I got an application on Friday, that's what I was told. I know that Representative Schuring has talked to people about expediting this. She told me that they are having a meeting tomorrow and normally, their meetings take about to set up the meeting. So, that's how expedited this is going to be. And the other thing I'd like to say is if Council passes this tonight, I know I stood here three weeks ago saying this warehouse shows the commitment of Shearer's to the City. I think tonight and our \$150,000, our enterprise and everything we've done with regards to this project shows the City's commitment to Shearer's also.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I see no issue with this. One way or another, the City's in the same position in the long run. We either have a dedicated roadway or a glorified private drive that we're taking care of. One way or the other, we're going to be responsible for it, depending on how it goes. So, I don't see any issue with this whatsoever.

COUNCILMAN CHOVAN – Absolutely. You're right.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Dave, did we take care of this lighting?

DAVE MALEY – There's language in there for a bond which should cover street lighting.

COUNCILMAN MANSON – That was another issue. Just let me explain it. Massillon Development Foundation was supposed to put lighting in and that would be done before the street's dedicated and it hasn't been done yet. So, now we have a bond, I believe, that will cover the cost of the lighting.

DAVE MALEY – That language is included in Section 2. I think the last sentence in Section 2.

COUNCILMAN MANSON – That was my fear that we wouldn't get that, so, that's cover in there.

COUNCIL PRESIDENT ISTNICK – Any other questions or concerns? Councilman Manson.

COUNCILMAN MANSON – I make a motion that we waive the rule requiring three separate readings and bring Ord. No. 110 – 2018 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 110 – 2018 has passed. Ord. No. 111 – 2018.

ORDINANCE NO. 111 – 2018 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Custer Products to provide an economic development “inducement grant” to assist the business in start-up costs, including but not limited to blacktop, paving expenses, etc. at 1320 Sanders Ave. S.W., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Thank you, Madam President. We had Mr. Custer here last week and he talked about his company. I'd like to give this at least one reading before we act on it. So, in case there's any information anybody feels they need. So, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 111 – 2018 has received first reading. Ord. No. 112 – 2018.

ORDINANCE NO. 112 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with Massillon Cable TV, Inc. for Fiber-Optic Cable Connection, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. From my understanding, this agreement with Massillon Cable or MCTV is actually one we already have in place. There's a reduction in cost, but an increase in band width and this will be continuing our current arrangement with them in that sense. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 112 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 112 – 2018 has passed. Ord. No. 113 – 2018.

ORDINANCE NO. 113 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 113 – 2018 has received first reading. Ord. No. 114 – 2018.

ORDINANCE NO. 114 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to accept a grant from the Stark Community Foundation to be used for the City's Renaissance of Duncan Plaza.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is us receiving, I believe, \$100,000 in the form of a grant for the continuation of the project down at Duncan Plaza. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 114 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 114 – 2018 has passed. Ord. No. 115 – 2018.

ORDINANCE NO. 115 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Depository Fund for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This fund, as many of us may be aware of, happens whenever there's a foreclosed home in the City of Massillon. The bank must submit a deposit into the City. \$2,000 work of that money we are able to keep. \$1,000 is returned to the bank upon sale of the property. What we are doing here is putting \$96,000 into an account so that we can pay that out to the banks that have been selling the properties off. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 115 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 115 – 2018 has passed. Ord. No. 116 – 2018.

ORDINANCE NO. 116 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donations Fund, for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is from the Mayor's "Kindness Campaign". The donations are coming from that. A total of \$2,398.35 and these are just making appropriations for expenses that are a part of that. We are acting as a pass-through. Are there any questions or

discussion? Seeing none, I would make a motion that we suspend the rules requiring three readings, bringing Ord. No 116 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 116 – 2018 has passed. Ord. No. 117 – 2018.

ORDINANCE NO. 117 – 2018 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1213 Lincoln Way Streetscape Fund, for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$50,000 related to the Streetscape. This is the money that we received from the Aultman Foundation and that money was earmarked specifically for our Streetscape project. Is there any discussion tonight? Any questions about what this would involve and exactly what this would be doing? I do. Mr. Smith. I'm sorry, Madam President. I would like to call up Mr. Smith.

COUNCIL PRESIDENT ISTNICK – Mr. Smith.

JOEL SMITH – Thank you.

COUNCILMAN LEWIS – Mr. Smith, what is this money specifically being used for?

JOEL SMITH – I think we're still in, or maybe, Dave, can you help me? I think we're still in the engineering phase of the planning part of it. We're still in that phase right now, the engineering. Is there any more that you can add, Dave? It's just the initial cost. It's part of the original \$275,000 involved in the engineering piece of this project. So that \$50,000 was part of that original \$275,000 and I think we're nearing the completion of that part of that, aren't we Jason?

JASON POPIEL – Yes.

JOEL SMITH – Yes. So, this is just to finalize that piece.

COUNCILMAN LEWIS – Alright. Any other questions or discussion?

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. Mr. Smith, has there been any further discussion with the merchants concerning the closure of the three months that they've been talking about?

JOEL SMITH – We have a meeting scheduled with MDF on Friday morning. I'm sorry, Massillon Main Street.

COUNCILWOMAN CUNNINGHAM – Is that open to any of us as well?

JOEL SMITH – Sure.

COUNCILWOMAN CUNNINGHAM – Where at and what time?

JOEL SMITH – First North Building at 8:30 a.m.

COUNCILWOMAN CUNNINGHAM – On Friday morning?

JOEL SMITH – Yes ma'am.

COUNCILWOMAN CUNNINGHAM – Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 117 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 117 – 2018 has passed.

- 7. UNFINISHED BUSINESS
- 8. PETITIONS AND GENERAL COMMUNICATIONS
- 9. BILLS, ACCOUNTS AND CLAIMS

Massillon Quickprint	-	\$ 45.00	Copy Paper and Envelopes
Copeco	-	<u>337.26</u>	Contract Base Rate 9/1/18 to 11/30/18
		\$382.26	Total

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to pay the bills.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call.

9 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – Thank you. The Clerk will pay the bills and charge them to the proper accounts.

- 10. REPORTS FROM CITY OFFICIALS
- 11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session is Monday, September 24, 2018 at 6:30.

- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. This microphone situation has to change. We've been messing with this thing over a month.

COUNCIL CLERK ROLLAND – And he was just here today.

COUNCILMAN MANSON – Madam President, could you get involved in this too, please? Could you get into this too, please?

COUNCIL PRESIDENT ISTNICK – Well, I suggested this the last two meetings, I believe, and Diane said they were looking into it. I think if they can't fix it, I really think we need to find

someone that can give us microphones that work. This is a public meeting for the City of Massillon. I think we deserve a little better than this.

COUNCILMAN MANSON – Especially with critical stuff like we’ve dealing with.

COUNCIL PRESIDENT ISTNICK – Yes. Anyone else? Thank you, Mr. Manson.

13. CALL OF THE CALENDAR

ORDINANCE NO. 50 – 2018 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled August 6, 2018 until September 17, 2018

AN ORDINANCE amending Chapter 521 “HEALTH, SAFETY AND SANITATION” of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. I really have had trouble getting up to speed on this thing and I’m going to ask to table this one more time anyhow, until the second meeting in October. I’ll discuss some of this with Mr. Maley and we’ll try to settle this.

COUNCIL PRESIDENT ISTNICK – That should be October 15th?

COUNCIL CLERK ROLLAND – Microphone, Paul.

COUNCILMAN MANSON – It’s out.

COUNCIL CLERK ROLLAND – Won’t come on?

COUNCILMAN MANSON – I’d like to make a motion to table Ord. No. 50 – 2018 until the October 15th meeting.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. Roll call.

9 yes to table Ord. No. 50 – 2018 until October 15, 2018

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 50 – 2018 has been tabled until October 15, 2018.

14. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 92 – 2018 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 by rezoning a certain tract of land from R-1 One Family Residential to O-2 Office District, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. This microphone is still not working. I want to make a motion to table this until October 1, 2018, and we will be having a public hearing at 6:00 p.m. that evening and we will be acting on this that evening.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. Roll call.

9 yes to table Ord. No. 92 – 2018 until October 1, 2018

COUNCIL PRESIDENT ISTNICK – There will be a public hearing for Ord. No. 92 – 2018 which has just been tabled until October 1, 2018, and the public hearing will be at 6:00 p.m.

ORDINANCE NO. 99 – 2018 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 10-003720 and Parcel No. 10-000149, located at 845 – 8th St. N.E., Massillon, Ohio, which includes 875 – 8th St. N.E., Massillon, Ohio and 830 Amherst Rd.

N.E., Massillon, Ohio and Parcel No. 43-18330, Parcel No. 43-18329, Parcel No. 43-09621 and Parcel No. 43-18882 located at 323 Marion Ave. N.W., Massillon, Ohio from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. I'd like to make a motion to table this indefinitely.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett.

7 yes; 2 no to table Ord. No. 99 – 2018 indefinitely

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 99 – 2018 has been tabled indefinitely

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 98 – 2018 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 43-18240, located at 2860 Lincoln Way E., Massillon, Ohio, from the City of Massillon, Ohio to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 98 – 2018 has received second reading.

16. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – I would just like to let Council know that Diane is working on the budget for Council for next year. If any of you have anything that you would like to see in it or addressed, let either Diane or myself know by next Monday. Councilman Gregg.

COUNCILMAN GREGG – I just wanted to mention that our high school's football team, Massillon Tigers is 4 – 0, at this point. I think they're representing themselves. There is our City doing very well and I'd just like to make a suggestion that we all get behind them and that businesses located in the City, they have marquees. Put "Go Tigers" on your marquee and let's show the team and school that we support them. Thank you.

COUNCIL PRESIDENT ISTNICK – T-I-G.

COUNCILMAN GREGG – E-R-S.

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I make a motion that we adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT